

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY**

**Call to Order:** Chairman Roy Brown, on March 13, 2009 at 3:00  
P.M., in Room 317-A Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Roy Brown, Chairman (R)  
Sen. Terry Murphy, Vice Chairman (R)  
Sen. Greg Hinkle (R)  
Sen. Cliff Larsen (D)  
Sen. Dave Lewis (R)

##### **Members Excused:**

Sen. Carol C. Juneau (D)  
Sen. Trudi Schmidt (D)

##### **Members Absent:** None

**Staff Present:** Joan Linkenbach, Committee Secretary  
Lisa Mecklenberg Jackson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 93, 2/19/2009; HB 367,  
2/21/2009; HB 409, 3/2/2009; HJ 25,  
3/2/2009

Executive Action: HB 93; HB 367; HJ 25

**HEARING ON HB 367**

**Opening Statement by Sponsor:**

00:01:01 Rep. Tom McGillvray (R), HD 50, opened the hearing on  
HB 367, Revise postadoptive services law.

**EXHIBIT (phs56a01)**

**Proponents' Testimony:**

00:03:55 Rosemary Miller, Executive Director, Catholic Social  
Services (CSS)

**EXHIBIT (phs56a02)**

00:06:07 Sen. Schmidt present

00:08:45 Margaret McGillvray

00:10:45 Sarah Pallis

**EXHIBIT (phs56a03)**

00:13:28 Sen. Larsen left the room.

00:17:01 Moe Wosepka, Executive Director, Montana Catholic  
Conference (MCC)

00:17:38 Chairman Brown left the room.

00:17:50 Vice Chairman Murphy assumed the chair.

**Opponents' Testimony:** None

**Informational Testimony:**

00:19:30 Shirley Brown, Division Administrator, Child and  
Family Services, Department Public Health and Human  
Services (DPHHS)

**Questions from Committee Members and Responses:**

00:19:55 Sen. Schmidt

00:20:43 Mr. Wosepka, MCC

00:20:50 Sen. Schmidt

00:20:59 Sen. Larsen now present

00:21:28 Mr. Wosepka, MCC

00:23:16 Sen. Schmidt

00:24:02 Ms. Miller, CSS

00:24:58 Sen. Schmidt

00:25:07 Ms. Miller, CSS

00:25:27 Sen. Schmidt

00:25:33 Ms. Miller, CSS

00:26:03 Sen. Schmidt

00:26:19 Ms. Miller, CSS

**Closing by Sponsor:**

00:26:56 Rep. McGillvray

**HEARING ON HJ 25**

**Opening Statement by Sponsor:**

00:29:48 Rep. Wendy Warburton (R), HD 34, opened the hearing on HJ 25, Resolution for medicaid eligibility and procedures study.

**Proponents' Testimony:**

00:36:04 Rose Hughes, Executive Director, Montana Health Care Association (MHCA)

[EXHIBIT \(phs56a04\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:41:46 Sen. Schmidt

00:42:36 Ms. Hughes, MHCA

**Closing by Sponsor:**

00:42:45 Rep. Warburton

[EXHIBIT \(phs56a05\)](#)

**HEARING ON HB 93**

**Opening Statement by Sponsor:**

00:47:33 Rep. Diane Sands (D), HD 95, opened the hearing on HB 93, Clarify EMS medical direction and handling of complaints.

**Proponents' Testimony:**

00:53:58 Jim DeTienne, Supervisor, EMS and Trauma Systems Section, DPHHS

[EXHIBIT \(phs56a06\)](#)

00:58:19 Cliff Christian, American Heart Association

00:59:14 Aimee Grmoljez, Billings Clinic

**Opponents' Testimony:** None

**Informational Testimony:**

00:59:56 Angus Maciver, Legislative Audit Division (LAD)

**Questions from Committee Members and Responses:**

01:00:31 Sen. Schmidt  
01:00:35 Chairman Brown present  
01:01:02 Rep. Sands  
01:01:47 Mr. Christian, AHA  
01:03:43 Chairman Brown  
01:04:06 Mr. Maciver, LAD  
01:04:16 Sen. Hinkle  
01:04:54 Rep. Sands  
01:05:06 Mr. DeTienne, DPHHS  
01:05:28 Sen. Hinkle  
01:05:32 Mr. DeTienne, DPHHS  
01:05:40 Sen. Schmidt  
01:06:10 Mr. Maciver, LAD

**Closing by Sponsor:**

01:06:45 Rep. Sands  
01:08:26 Vice Chairman Murphy  
  
01:08:44 Recess  
01:12:43 Reconvene  
01:12:44 Chairman Brown resumed the chair.

**HEARING ON HB 409**

**Opening Statement by Sponsor:**

01:13:21 Rep. JP Pomnichowski (D), HD 63, opened the hearing on  
HB 409, Create cancer drug repository.

**EXHIBIT** (phs56a07)

**Proponents' Testimony:**

01:21:26 Dennis Iverson, Pharmaceutical Research and  
Manufacturers of America (PHARMA)  
01:23:17 Stuart Doggett, Montana Pharmacy Association  
01:23:48 Aimee Grmoljez, Billings Clinic  
01:24:55 Gloria Hermanson  
01:27:05 Jim Ahrens, American Cancer Society  
01:27:27 Pat Melby, Montana Medical Association  
01:27:56 Carol Erickson, past administrator for an oncologist

**Opponents' Testimony:** None

**Informational Testimony:**

01:30:48 Ronald Klein, Pharmacist, Director, State Board of  
Pharmacy

**Questions from Committee Members and Responses:**

01:31:15 Rep. Hinkle  
01:31:40 Rep. Pomnichowski  
01:32:10 Sen. Schmidt  
01:32:34 Mr. Iverson, PHARMA  
01:33:08 Sen. Lewis  
01:33:55 Rep. Pomnichowski  
01:34:07 Lisa Mecklenberg Jackson, Legislative Services Division  
01:34:27 Sen. Lewis  
01:34:36 Rep. Pomnichowski

**Closing by Sponsor:**

01:35:31 Rep. Pomnichowski

**Discussion:**

01:37:47 Chairman Brown  
01:38:08 Sen. Larsen  
01:38:53 Sen. Lewis  
01:39:28 Sen. Larsen

**EXECUTIVE ACTION ON HB 367**

01:39:41 **Motion/Vote:** Sen. Schmidt moved that **HB 367 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Juneau voted aye by proxy. Chairman Brown will carry the bill in the Senate.

**EXECUTIVE ACTION ON HJ 25**

01:40:40 **Motion/Vote:** Sen. Lewis moved that **HJ 25 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Juneau voted aye by proxy. Sen. Lewis will carry the bill in the Senate.

**EXECUTIVE ACTION ON HB 93**

01:41:34 **Motion/Vote:** Sen. Murphy moved that **SB 93 BE CONCURRED IN.**

**Discussion:**

01:41:46 Sen. Larsen

01:42:02 **Vote:** Motion carried unanimously by voice vote. Sen. Juneau voted aye by proxy. Sen. Murphy will carry the bill in the Senate.

**ADJOURNMENT**

Adjournment: 4:45 P.M.

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Joan Linkenbach, Secretary

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Additional Documents:

**EXHIBIT ([phs56aad.pdf](#))**